

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JANUARY 2004 AGENDA
Item No. W-4

TITLE: Request by Los Angeles Unified School District for a waiver renewal of <i>Education Code</i> (EC) Sections 52122 (b)(2)(A) and 52123 (c) for allowing 22 multi-track year round education school sites with 200 or more students per acre to receive Option 1 Class Size Reduction funding. This is the fifth and final renewal for 22 schools. CDSIS: 3-11-2003	<u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT
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RECOMMENDATION:

The Department recommends: ☒ Approval

Summary of Previous State Board of Education Discussion and Action:

The SBE previously granted the District's waiver requests for the following school years:

1997-98 = 84 schools
1998-99 = 101 schools (23 schools first renewal, 78 school second renewal)
1999-00 = 101 schools (23 schools second renewal, 78 schools third renewal)
2000-01 = 101 schools (23 schools third renewal, 78 schools fourth renewal)
2001-02 = 100 schools (23 schools third renewal, 77 schools fifth renewal)
2002-03 = 95 schools (22 schools fourth renewal, 73 schools fifth renewal)

For the 2003-04 school year, the district is requesting the fifth and final renewal for 22 schools. Since 2001, the SBE has requested and received quarterly updates on the District's progress in implementing the facilities mitigation plan.

Summary of Key Issue(s): *Education Code* (EC) Section 52122.6 allows school districts participating in the kindergarten to grade three Class Size Reduction Program (CSR), and meeting specified criteria (as outlined below), to request from the State Board of Education a waiver of *Education Code* Sections 52122(b)(2)(A) and 52123(c) to allow school sites with 200 or more students per acre to have an average student teacher ratio of 20-to-1 and still receive Option 1 (full day) funding. For example, a site may operate a CSR class of 18 students and a class of 22 students (an average of 20 students) and still receive Option 1 funding for both classes. The waiver may be renewed annually five times.

The waiver criteria specified in *Education Code* (EC) Section 52122.7 require a district to develop a school facilities mitigation plan that documents how the district will provide the necessary facilities to achieve a 20:1 student to teacher ratio in each classroom rather than average a 20:1 student to teacher ratio. The *Education Code* also requires the district to fund 50% of the cost of implementing the facility mitigation plan. The State Allocation Board from

Proposition 1A funds provides the other 50%. *Education Code* (EC) Section 52122.8 requires school districts operating under this waiver to report annually on how "pupils at the impacted site will be served in enriched teacher-to-pupil ratios during the time of the waiver." The Los Angeles Unified School District has hired additional teachers for these impacted schools in order to have an average pupil teacher ratio of 20-to-1 for participating grade levels.

As requested by the SBE, the district has provided quarterly updates to the SBE documenting the benchmarks achieved in 2003 to relieve the student overcrowding at the 22 schools. Below is a summary of the status of the 18 projects providing relief to the 22 overcrowded schools:

- Six New Primary Centers – All 66 planned benchmarks have been achieved, including five in 2003. Four of the six projects are in construction, and all are scheduled for student occupancy in 2005.
- Five New Elementary Schools - All 63 planned benchmarks have been achieved, including fourteen in 2003. Four of the five school projects are in construction with student occupancy scheduled in 2004 for three schools and 2005 for the remaining two schools.
- Five New Classroom Addition Projects - Of the total 48 planned benchmarks, 42 have been achieved including four in 2003. Only one project has not commenced construction. All projects that involve additions to an existing school are scheduled for student occupancy in 2004.
- Two Playground Expansions - All of the planned 12 benchmarks have been achieved. One project was occupied in 2003, and the remaining playground is expected to be completed in the first quarter of 2004.

A copy of the district's updated facilities mitigation plan is available in the State Board of Education office.

Authority for the waiver: 52122.6-52122.8

Bargaining unit(s) consulted on: Not required, conditions of previous waiver have not changed.

Position of bargaining unit (choose only one):

☐ Neutral

☐ Support

☐ Oppose

Name of bargaining unit representative: Not required

Local board approval date: 10/28/03

Effective dates of request: 7/1/03 to 6/30/04

Fiscal Analysis (as appropriate): Provides Option 1 CSR funding.

Background Information: Waiver forms and background information are attached to this summary.